

FISCAL NOTE
SB 1845 - HB 2142

March 11, 2005

SUMMARY OF BILL: Prohibits smoking in enclosed indoor areas except a private residence not being used commercially to provide child care, adult care, or health care; an indoor place dedicated to the sale, manufacturing or testing of tobacco; a designated smoking guest room; and in a workplace where scientific research is conducted. All non-exempt facilities are required to post "non-smoking" signs and develop a policy for dealing with incidents of smoking in restricted areas. Violations in government buildings are to be reported to the Department of Labor and Workforce Development. Failure to comply with a violation notice will result in a civil penalty of \$250 to \$750 for the first offense and \$500 to \$2,000 for the second offense, after such the Department may sue for an order directing compliance. Classifies smoking in non-exempt areas as a Class B misdemeanor punishable by a fine of up to \$100 for the first offense and up to \$500 for subsequent offenses.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures – Exceeds \$200,000

Increase State Revenues – Not Significant

Increase Local Govt. Expenditures – Not Significant

Increase Local Govt. Revenues – Not Significant

Assumptions:

- The Department of Labor and Workforce Development will need to hire three Industrial Hygienists to investigate complaints and perform routine inspections of the workplace which would increase expenditures for salary, travel and office expenses by \$179,000.
- Additional "non-smoking" signage will be required in all state buildings, which will be a significant increase to state expenditures.
- Development and implementation of policies and procedures for state agencies to take when violations occur will not have a significant impact.
- Could result in state buildings being cleaner and easier to maintain resulting in a not significant decrease in expenditures.
- Some increase in cases in the court system which will result in additional state and local government expenditures for processing the cases and additional state and local government revenues from fees, taxes, and costs collected. However, such increase will not be significant.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director